

222 South Ninth Street, Suite 2930
Minneapolis, MN. 55402
Office: (612) 259-4800
Fax: (612) 259-4810

» W. MICHAEL GARNER, P.A.
Law Offices

MEMO ENDORSED

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12-3-10

December 2, 2010


BY FACSIMILE: 212-805-7949
The Honorable P. Kevin Castel
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: **Triomphe Partners, et al. v. Realogy Corporation**
Court File No.: 1:10-cv-08248-PKC

Dear Judge Castel:

We represent the Petitioners in this case and are writing in light of Your Honor's Order of yesterday in this matter setting a briefing schedule. We are filing today the Affidavit of Ronald K. Gardner in support of the Petition, which simply provides the evidentiary basis for the Petition. We respectfully request Your Honor's permission to file a memorandum of law in support of the Petition so that the Court will have the benefit of our legal arguments. We have requested the consent of counsel for Respondent, who has consented to the filing of the Gardner Affidavit but not to a memorandum of law.

Thank you for your attention to this matter.

Sincerely,
W. MICHAEL GARNER, P.A.

W. Michael Garner

WMG/bb
cc: David Jacoby, Esq.
Ronald K. Gardner, Esq.

*Applicant to
file affidavit
and memorandum
of law granted.
File no later
than December 10.
SO ORDERED
JMS
USDS
12-2-10*